

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

PUSH DATA, LLC

Plaintiff,

v.

SMOOTHIE KING FRANCHISES, INC.,

Defendant.

C.A. No. 4:24-cv-405-ALM

JURY TRIAL DEMANDED

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff Push Data, LLC (“Plaintiff”) hereby dismisses this action against Defendant Smoothie King Franchises, Inc. (“Defendant”) without prejudice. According to Fed. R. Civ. P. 41(a)(1)(A)(i), an action may be dismissed by the plaintiff without order of court by filing a notice of dismissal at any time before service by the adverse party of an answer. Defendant has not yet answered the Complaint. Accordingly, pursuant to Rule 41(a)(1)(A)(i), Plaintiff voluntarily dismisses this action against Defendant without prejudice. Each party shall bear its own costs, expenses and attorneys’ fees.

Dated: June 28, 2024

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/s/ Trevor Beaty

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Push Data, LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 28, 2024 I electronically filed the above document(s) with the Clerk of the Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

/s/ Trevor Beaty

Trevor Beaty